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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	Chapter 11
	:
LEHMAN BROTHERS HOLDINGS, INC., <u>et al.</u> ,	Case No. 08-13555(JMP)
	:
Debtors.	:
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**RESPONSE OF FEDERAL HOME LOAN BANK OF NEW YORK
TO DEBTORS' FOURTH OMNIBUS OBJECTION TO CLAIMS
(AMENDED AND SUPERSEDED CLAIMS)**

Federal Home Loan Bank of New York ("FHLB") hereby responds to the Debtors' Fourth Omnibus Objection to Claims (the "Objection") filed by the above-captioned debtors and debtors-in-possession (the "Debtors") and respectfully represents as follows:

1. On September 18, 2009, FHLB filed claim number 19165 which is based upon a derivative contract with Lehman Brothers Special Financing Inc., and claim number 19166 which is based on a guaranty by Lehman Brothers Holdings Inc. Thereafter, FHLB timely completed, as required by this Court's bar date order, the online derivative questionnaire and guaranty questionnaire on the website established by the Debtors for that purpose. On October 20, 2009, FHLB filed claims numbered 42291 and 42290 which amended the previously-filed

derivative claim and guaranty claim respectively in order to modify certain aspects of these claims (primarily the interest calculations). FHLB has never had to modify the electronically uploaded information and documents because the information as originally produced – including the interest calculations – was correct.

2. Pursuant to the Objection, the Debtors seek to expunge claims 19165, and 19166 and leave FHLB's claims numbered 42291 and 42290 as the respective "surviving claims."

3. While FHLB does not object in principle to the relief requested in the Objection (i.e., elimination of the claims that have been superseded), FHLB wants to ensure that granting the relief requested in the Objection would not result in the expungement or erasure of, and consequent inability of FHLB to refer, rely upon or otherwise use, the uploaded information provided pursuant to the derivative and guarantee questionnaires. The information and documents uploaded electronically prior to the filing of the amended paper claims must be preserved should the Debtors later make a substantive objection to the surviving claims. In essence, granting the relief requested in the Objection should only expunge the earlier paper proofs of claim and not the supporting documentation provided on the website. Whether that can be accomplished by means of simply associating the surviving claim numbers with the entirety of the electronically uploaded information and documentation or by some other means is a matter of indifference to FHLB so long as the information is preserved and deemed part of FHLB's surviving claims.

4. In the event the uploaded supporting documentation cannot be preserved and associated with the amended proofs of claim numbered 42291 and 42290 as the "surviving

claims,” the FHLB objects to the Objection and requests such relief as the Court deems just and proper.

Dated: New York, New York
March 1, 2010

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